

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>8/31/05</u>		2 Serial/Patent # <u>09/823,819</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal		7/25/05	\$ 500							
✓	Petition		7/25/05	\$ 1500							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
7 TOTAL AMOUNT OF REFUND			\$ 2000								
8 TO BE REFUNDED BY:											
10 REASON:		Treasury Check									
	Overpayment	Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>5</td><td>0</td><td>--</td><td>1</td><td>3</td><td>0</td><td>2</td></tr></table>			5	0	--	1	3	0	2
5	0	--	1	3	0	2					
✓	No Fee Due (Explanation):										
<div style="font-family: cursive; font-size: 1.2em;">Pet. treated as a w/drawing of the holding of abandonment, which has no fee.</div>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Denise Pothier</u>		TITLE: <u>Pet. Ex.</u>									
SIGNATURE: <u>Denise Pothier</u>		PHONE: <u>2-4787</u>									
OFFICE:											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u>Alicia Keller</u>		DATE: <u>9/7/05</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



50325-0528

Zhu  
DAC

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Confirmation No.: 6610
Michael Kirkwood, et al.,	)	Group Art Unit: 2161
Serial No.: 09/823,819	)	Examiner: Brian D. Goddard
Filed: March 30, 2001	)	

For: BUSINESS VOCABULARY DATA STORAGE USING MULTIPLE  
INTERRELATED HIERARCHIES

**PETITION FOR REVIVAL - UNINTENTIONAL ABANDONMENT OF**  
**APPLICATION (37 CFR 1.137(b))**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions for revival of the above-identified application. This petition is grantable for the following reasons.

1. **Summary of Procedural History.** A Final Rejection for this application was mailed on November 30, 2004. The applicant mailed a Reply to Office Action under 37 C.F.R. 1.116 on January 14, 2005. No Advisory Action or Notice of Allowance was received before the statutory period expired on May 30, 2005. The applicant noted a "Notice of Allowability - Allowance Counted" entry in the PAIR record but did not become aware of

07/26/2005 MAHNE1 00000047 09823819

02 FC:1453

1500.00 OP

Seq.No. 3857

-1-

Adjustment date: 09/07/2005 AXELLEY  
07/26/2005 MAHNE1 00000047 09823819  
01 FC:1401  
Repln. Ref: 09/07/2005 AXELLEY 0012460500  
DAH:501302 Name/Number:09823819  
FC: 9204 \$2000.00 CR

the fact that a Notice of Allowance was not received until after May 30, 2005. Therefore it is requested that the Petition to Revive – Unintentional Abandonment be granted.

The abandonment date of this application is May 31, 2005 (i.e., the day after expiration of the statutory period set to file a Reply to Final Rejection).

2. **Petition Fee.** As required by 37 CFR 1.137(b)(2), the petition fee of \$1,500.00 as specified in 37 CFR 1.17(m), in the form of a law firm check, is submitted herewith.

3. **Statement.** As required by 37 CFR 1.137(b)(3), applicant hereby states that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.


The Office is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the consideration of this petition.

Please charge any shortages or credit any overages in fees to our Deposit Account No. 50-1302.

Respectfully Submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

July 21, 2005

  
\_\_\_\_\_  
Christopher J. Palermo  
Reg. No. 42,056

2055 Gateway Place, Suite 550  
San Jose, CA 95110-1089  
Tel. No. (408) 414-1080  
Fax No. (408) 414-1076

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on July 21, 2005

By

  
\_\_\_\_\_  
Trudy Bagdon

Seq.No. 3857